

IN THE CLAIMS:

Please cancel claims 2, 4-11, 13, and 16-81.

Please amend claim 1 as follows:

- 1 1. (Twice Amended) Device for temperature measurement comprising:
2 a) a detector for receiving heat radiation emanating from a measurement
3 spot on an object of measurement,
4 b) an optical system for imaging the heat radiation emanating from the
5 measurement spot onto the detector
6 c) and a sighting arrangement having a laser aligned to illuminate a
7 diffractive optical system to produce a light intensity distribution [of more than two visible
8 dots] for identifying and outlining the position and size of the measurement spot on the object
9 of measurement by means of visible light.

REMARKS

Claims 1-11, 13, and 16-81 have been examined. Claim 1 is amended and claims 2, 4-11, 13, and 16-81 are canceled. Accordingly, claims 1 and 3 are now pending in the application. Reexamination and reconsideration are requested.

With the cancellation of claims 16-81 all claims copied from U.S. Patents 5,823,678 and 5,823,679 have been removed from the application.

A substitute specification and marked up copy under Rule 125 is provided to arrange the specification according to the guidelines suggested by the examiner. The substitute specification contains no new matter.

Claims 1-4 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hollander et al. (the '392 patent). Attached to this amendment in a Rule 131 declaration showing a completion of the invention recited in claims 1 and 3 prior to the filing date of the Hollander '392 patent. Accordingly, the Hollander '392 patent does not bar the grant of a patent to claims 1 and 3.

None of the references of record disclose the claimed subject matter including a diffractive optical system, illuminated by a laser, for producing a light intensity distribution for